

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of themselves
and those similarly situated,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS, L.L.C., a
Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,
Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER, JKBAKER LLC
and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

No.: 04-CV-10501 (PBS)

**DECLARATION OF PATRICK T. EGAN IN SUPPORT OF:
(A) PLAINTIFFS' REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
(LETTERS ROGATORY)**

AND

**(B) PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE UNDER SEAL
EXHIBITS B THROUGH G OF PLAINTIFFS' REQUEST FOR INTERNATIONAL
JUDICIAL ASSISTANCE (LETTERS ROGATORY)**

PATRICK T. EGAN, declares pursuant to 28 U.S.C. § 1746 that:

1. I am a partner of the law firm of Berman DeValerio Pease Tabacco Burt & Pucillo, co-lead counsel to Class Plaintiffs Hans A. Quaak, Attilio Po, and Karl Leibinger in the above-captioned action *Quaak v. Dexia, S.A.*, No.: 03-CV-11566 (PBS). Unless otherwise indicated, I have personal knowledge of the matters addressed in this declaration. I am over the age of 18 and am fully competent to testify.

2. I submit this declaration in support of the motion by plaintiffs in the above-captioned actions (“Plaintiffs”) for an order issuing Plaintiffs’ Request For International Judicial Assistance (Letters Rogatory) (“Letters Rogatory”) and for leave to file under seal Exhibits B through G of the proposed Letters Rogatory.

3. Attached hereto as **Exhibit A** is a true and accurate copy of Dexia Bank Belgium’s Response and Objections To Lead Plaintiffs’ First Set Of Interrogatories.

4. Attached hereto as **Exhibit B** is a true and accurate copy of Defendant Dexia Bank Belgium’s Initial Disclosures Pursuant To Fed. R. Civ. P. 26(a)(1).

5. Attached hereto as **Exhibit C** is a true and accurate copy of Dexia Bank Belgium’s Responses And Objections To Lead Plaintiffs’ Second Set Of Interrogatories.

6. Attached hereto as **Exhibit D** is a true and accurate copy of a February 10, 2006 Letter from Jeff E. Butler to Susan M. Davies.

7. On June 16, 2006, Plaintiffs’ filed their Motion For Issuance of Letters Rogatory. Also on June 16, 2006, Plaintiffs will serve copies of the Letters Rogatory, with all exhibits and attachments by hand upon counsel for defendant Dexia Bank Belgium, Jeff E. Butler, Esq. of Clifford Chance US LLP, New York, New York and Peter M. Saparoff, Esq. of Mintz Levin Cohn Ferris Glovsky & Popeo, Boston, Massachusetts.

8. Exhibits B through G of the Letters Rogatory contain Plaintiffs’ proposed examination of the Non-Party Witnesses, including the proposed exhibits on which Plaintiffs seek to examine these witnesses. These proposed examinations and exhibits have not been publicly filed with the Court at this time because they discuss and attach documents that Dexia

has produced in discovery and designated as “Confidential Information” subject to the terms of the Stipulation and Order Governing the Treatment of Confidential Information entered in each of the above-captioned actions on May 31, 2005 (the “Confidentiality Order”). A true and correct copy of the Confidentiality Order is annexed hereto as **Exhibit E**. Under the terms of the Confidentiality Order, memoranda and declarations containing or disclosing discovery materials that the producing party has designated as “Confidential Information” must be filed with the Court under seal. *See* Exhibit E at ¶10.

Dated: June 16, 2006

/s/ Patrick T. Egan
PATRICK T. EGAN
BBO #637477